

PATENT
Atty Docket No. 254/057CON

for fee only

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. Serial No.: 10/643,681 Confirmation No.: 4614
Applicant : Kolterman et al.
Filed : August 18, 2003
TC/A.U. : 1439
Examiner : Bennett M. Celsa
Title : METHODS FOR REGULATING POSTPRANDIAL BLOOD GLUCOSE

Commissioner for Patents
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SECOND PRELIMINARY AMENDMENT

Sir:

Please enter the following amendments to the claims prior to examination.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 13 of this paper.

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 703-872-9306 on this 15th day of September 2004.

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Amdt. Dated September 14, 2004
Page 13 of 13

REMARKS/ARGUMENTS

Claims 1-23 have been cancelled and claims 38-68 have been added. Support for the new claims drawn to the claimed methods wherein the mammals have diabetes can be found throughout the specification and at least at page 2, lines 12-22; and page 21, lines 16-19, where use of amylin to treat diabetes is described or contemplated. Support for claims drawn to the genus of amylin analogues of claim 56 and 60 can be found in the material incorporated by reference in the present application by preliminary amendment (Aug. 18, 2003) and in the parent application U.S. Patent Application No. 09/576,062. Applicants submit that no new matter is introduced by the present claims.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance and request that a timely Notice of Allowance be issued in this case. The Examiner is encouraged to call the undersigned attorney to discuss any issues related to the prosecution of the instant application.

Applicants believe that, absent excess claim fees, no additional fee is necessitated by the present paper. However, in the event any fees are due or any amount is to be credited, Applicants authorize the Commissioner of Patents to debit or credit Deposit Account No. 010535.

Respectfully submitted,



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